

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

**J.S., a minor, by and through his mother
and next friend, LAQUANDRIA JAMES;
and J.W., a minor by and through his
mother and next friend, SHERIKA
WILBON**

PLAINTIFFS

V.

NO. 1:16-CV-46-DMB-DAS

**LOWNDES COUNTY SCHOOL
DISTRICT and JOHN LOVE**

DEFENDANTS

ORDER OF DISMISSAL

On January 10, 2018, United States Magistrate Judge David A. Sanders issued an order directing the plaintiffs in this action to show cause within fourteen days why their claims against John Love should not be dismissed for failure to prosecute. Doc. #46. As grounds, Judge Sanders stated that counsel for the plaintiffs “failed to appear for a duly noticed final pretrial conference.”

Id. Judge Sanders further asserted:

This is but the most recent in a host of deficiencies. On July 14, 2017, neither Plaintiffs nor their counsel appeared for duly noticed depositions. On August 7, 2017, this court ordered Plaintiffs’ counsel to pay \$480.50 in costs associated with the missed depositions no later than August 21, 2017. To date, Plaintiffs have not produced court-ordered discovery nor has plaintiffs’ counsel paid the court-ordered costs.

Id. The order to show cause warned that the failure to show cause could result in “the claims against ... Love [being] dismissed with prejudice.” *Id.* Despite this warning, the plaintiffs failed to respond to the order to show cause within the time allowed.

Upon consideration, the Court concludes that, for the reasons stated in Judge Sanders’ order, the plaintiffs have failed to prosecute this action. Additionally, the plaintiffs have failed to

comply with an order of the Court. Accordingly, the plaintiffs' claims against Love are **DISMISSED with prejudice**. A final judgment consistent with this order will issue separately.¹

SO ORDERED, this 26th day of January, 2018.

/s/Debra M. Brown
UNITED STATES DISTRICT JUDGE

¹ On October 25, 2017, this Court dismissed the plaintiffs' claims against Lowndes County, the other defendant in this action, for failure to comply with a discovery order.